

REMARKS

Claims 1-31 are pending. Claims 1-31 have been rejected. Claims 1 and 18 have been amended.

Claims 1, 3, 5-13, 16-23, 25-28, 30, and 31 have been rejected under U.S.C. § 102(b) as being anticipated by Xydis (U.S. Patent No. 6,070,240). Claim 4 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Xydis. It is respectfully submitted that claims 1, 3-13, 16-23, 25-28, 30, and 31 are allowable over the art of record for the reasons set forth below.

Claim 1 has been amended to include the features of a detector that receives and decodes presence signals from an RFID tag to determine whether the RFID tag is approaching the detector or moving away from the detector. The detector then generates instruction signals based on whether the RFID tag is approaching the detector or moving away from the detector. A central controller controls a device in accordance with the instruction signals. In this manner, the device may be more efficiently operated both from a user perspective and a power perspective (see application, as originally filed, paragraphs [0039]-[0040] and [0043]-[0045], for example).

Xydis fails to disclose or suggest determining whether the RFID tag is approaching the detector or moving away from the detector. Xydis describes placing a computer in an operating space, and scanning the operating space for the presence of a transponder (such as an RF transmitter) transmitting an authorized user code. If an authorized user code is detected in the operating space (e.g., by an RF transceiver), then the computer is unlocked. The computer is then relocked at the termination of the authorized user code being present in the operating space. Thus, Xydis merely determines the presence or absence of a transponder in an operating space, and does not determine whether the transponder, once in the operating space, is approaching the detector or moving away from the detector.

Independent claim 18 includes similar features as those described above with respect to claim 1. Claims 3, 5-13, 16, and 17 are dependent from claim 1, and claims 19-23, 25-28, 30, and 31 are dependent from claim 18, and are therefore patentable for the reasons set forth above with respect to claims 1 and 18. Therefore, withdrawal of the rejections of claims 1, 3, 5-13, 16-23, 25-28, 30, and 31 under 35 U.S.C. § 102(b) is respectfully requested. Similarly,

claim 4 is dependent on claim 1, and therefore is also patentable for the reasons set forth above. Withdrawal of the rejection of claim 4 under 35 U.S.C. § 103(a) is respectfully requested.

Claims 2 and 29 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Xydis in view of Lopes (U.S. Patent No. 6,189,105). It is respectfully submitted that claims 2 and 29 are allowable over the art of record for the reasons set forth below.

Claims 2 and 29 are dependent on claims 1 and 18, respectively, and these claims are therefore patentable for the reasons set forth above with respect to claims 1 and 18. Lopes fails to cure the deficiencies of Xydis. Similar to Xydis, Lopes discloses a system that provides a coded message from a user's badge to a proximity reader in communication with the computer. The computer contains a process to repeatedly and continuously detect the presence of an authorized user within a desired proximity of the computer. If an authorizing code is received from an authorized user, the computer continues to allow full use of the computer. If an authorizing code is not received, the computer is disabled until the authorized user again enters the proximity zone of the computer. However, Lopes does not determine whether the user's badge, once in the proximity zone, is approaching the computer or moving away from the computer. Therefore, withdrawal of the rejections of claims 2 and 29 under 35 U.S.C. § 103(a) is respectfully requested.

Claims 14, 15, and 24 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Xydis in view of Hinde (U.S. Patent No. 6,483,441). It is respectfully submitted that claims 14, 15 and 24 are allowable over the art of record for the reasons set forth below.

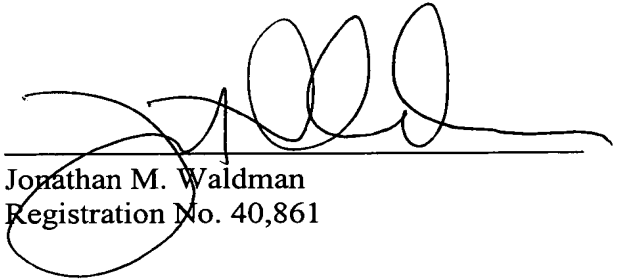
Claims 14 and 15 are dependent on claim 1, and claim 24 is dependent on claim 18, and these claims are therefore patentable for the reasons set forth above with respect to claims 1 and 18. Hinde fails to cure the deficiencies of Xydis. Hinde discloses a distance indicating device that provides the distance between an object and a vehicle. Hinde is unrelated to controlling a device based on a determination of whether an RFID tag is approaching a detector or moving away from the detector. Therefore, withdrawal of the rejections of claims 14, 15, and 24 under 35 U.S.C. § 103(a) is respectfully requested.

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In view of the above amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested.

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Jonathan M. Waldman
Registration No. 40,861

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439